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Attorney for Defendant
OMAR CASTRO-ALEJO

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 2:20-cr-169 WBS
)
Plaintiff,) **STIPULATION AND ORDER TO
vs.) CONTINUE STATUS CONFERENCE AND
OMAR CASTRO-ALEJO,) EXCLUDE TIME
Defendant.)
) Date: July 12, 2021
) Time: 9:00 a.m.
) Judge: Hon. William B. Shubb
)
)**

By this stipulation, the parties move to continue the status conference until August 16, 2021, and to exclude time between July 12, 2021 and August 16, 2021, under Local Code T4.

The parties agree and stipulate, and request that the Court find the following:

a. The government has produced discovery which defense counsel will need further time to review and discuss with the defendant because of the difficulties of communicating with Mr. Castro-Alejo at the jail during the pandemic.

b. Defense counsel believes that failure to grant the above-requested continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

d. For the purposes of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 12, 2021 to August 16, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

DATED: July 6, 2021

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

/s/ Noa E. Oren
NOA E. OREN
Assistant Federal Defender
Attorney for OMAR CASTRO-ALEJO

DATED: July 6, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ Justin Lee
Justin Lee
Assistant United States Attorney
Attorney for Plaintiff

ORDER

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing, adopts the stipulation in its entirety as its order. The Court specifically finds that the failure to grant a continuance in this case would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial.

The Court orders a status conference on August 16, 2021, at 9:00 a.m. The Court orders the time from July 12, 2021 up to and including August 16, 2021, excluded from computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. §§3161(h)(7), and Local Code T4.

Dated: July 7, 2021

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE